

## **APPENDIX SEVEN – ALTERNATIVE RECOMMENDATION AND FREEDOM CAMPING BYLAW**

Non-self-contained resolution

**That having considered all matters raised in the report the Council:**

- a) Notes that it has considered all submissions to the proposed Freedom Camping Bylaw.**
- b) Determines that it has followed the required special consultative procedure as set out in the Local Government Act 2002**
- c) Determines that the Freedom Camping Bylaw is the most appropriate and proportionate way of addressing the perceived problem in relation to the New Plymouth District**
- d) Determines that the Freedom Camping Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.**
- e) Determines the following site specific restrictions to freedom camping**
  - 1. Tongaporutu: No additional restrictions proposed for freedom camping from the existing reserve management plan**
  - 2. Urenui Domain and Recreation Reserve: No restrictions to freedom camping other than the requirements of the existing reserve management plan in relation to the Urenui camp ground.**
  - 3. Onaero: No restrictions to freedom camping other than the requirements of the existing reserve management plan in relation to the Onaero camp ground.**
  - 4. Battiscombe Terrace: Restrict freedom camping to four specified parks from 1 November to 30 April. No restrictions to freedom camping from 1 May to 31 October.**
  - 5. Waiwhakaiho Beach: Restrict freedom camping to eight specified parks from 1 November to 30 April. No restrictions to freedom camping from 1 May to 31 October.**
  - 6. Lake Rotomanu: No restrictions for freedom camping.**
  - 7. Fitzroy Beach carpark: Prohibit all freedom camping from 1 November to 30 April. No restrictions to freedom camping from 1 May to 31 October.**
  - 8. East End Beach carpark: Prohibit all freedom camping from 1 November to 30 April. No restrictions to freedom camping from 1 May to 31 October.**

9. **Buller Street carpark: No additional restrictions proposed for freedom camping from the existing reserve management plan noting that the car park gate is locked overnight from 8.30pm to 6.00am.**
10. **Kawaroa Park: Restrict freedom camping to fifteen specified parks.**
11. **Belt Road: No restrictions to freedom camping.**
12. **Back Beach Top: Restrict freedom camping to two specified parks from 1 November to 30 April. No restrictions to freedom camping from 1 May to 31 October.**
13. **Back Beach Middle: Restrict freedom camping to three specified parks from 1 November to 30 April. No restrictions to freedom camping from 1 May to 31 October.**
14. **Back Beach Bottom: Prohibit all freedom camping.**
15. **Corbett Park: Restrict freedom camping from 1 November to 30 April. No restrictions to freedom camping from 1 May to 31 October.**
16. **Oakura Beach front: Prohibit all freedom camping from 1 November to 30 April. No restrictions to freedom camping from 1 May to 31 October.**
17. **Ahu Ahu Road: No restrictions to freedom camping.**
18. **Weld Road: No restrictions to freedom camping.**
19. **Fort St. George/Tataraimaka Reserve: Prohibit freedom camping.**
20. **Lake Mangamahoe: No additional restrictions proposed for freedom camping from the existing reserve management plan noting that the car park gate is locked overnight from 8.30pm to 6.00am.**
21. **Mangorei Road/Pouakai Hut walk entrance: Prohibit freedom camping.**

**f) Either**

1. **Restricts non-self-contained freedom camping in an area for no more than one period of 24 hours in a 30 day period**

**Or**

2. **Restricts non-self-contained freedom camping in an area for no more than two periods of 24 hours in a 30 day period**

**g) Adopts the Freedom Camping Bylaw 2017 subject to the decisions contained in items (e) and (f) above as included as Appendix Seven of this report to be operative from a date advised by public notice**

**h) Revokes Clause 22 of the New Plymouth District Council Bylaw 2008 Public Places as per Appendix Two to be revoked on a date advised by public notice.**

- i) Delegates to the Manager Customer and Regulatory Solutions and the Compliance Lead, the power to grant dispensation by way of a permit as contained in clause 6 of the Freedom Camping Bylaw.**
- j) Notes that all other required delegations under the Freedom Camping Act are already in place within the Council delegations register.**
- k) Notes the proposed 2017/18 summer regulation of the new Freedom camping Bylaw through an educating and informing approach to all freedom campers with infringements fines being an enforcement tool of last resort.**
- l) Either**
  - 1. Discontinue investigations into the provision of site specific non-self-contained freedom camping**

**Or**

- 2. Notes that continuing investigations into the provision of site specific non-self-contained freedom camping will be reported back to the Council in early 2018 and may require consultation on an amendment to the Freedom Camping Bylaw and the approval of funding through the LTP2018; and**